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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,621	07/27/2000	Conrad V. Anderson	55679USA2A.002	2487

7590

03/21/2002

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EXAMINER

PURVIS, SUE A

ART UNIT

PAPER NUMBER

1734

7

DATE MAILED: 03/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

MF-7

<b>Office Action Summary</b>	Application No. 09/626,621	Applicant(s) ANDERSON ET AL.	
	Examiner Sue A Purvis	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5.6</u> . | 6) <input type="checkbox"/> Other:  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-33 rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Krawczyk (US Patent No. 5,252,166) and Jensen, Jr. (US Patent No. 4,795,513).

Pages 1 and 2 of the instant specification teaches that previously a composite image was formed on the surface of a substrate manually by a skilled applicator who would pull or stretch each film slightly, thus varying its tension, as it was being applied to a maintain registration between the different panels used to form the composite image.

The admitted prior art does not teach using registration marks on the film and aligning those registration marks up.

Krawczyk discloses a method of mounting multiple plastic sheets where the dimensions of the composite image are greater than the dimension of the plastic sheets. (Figures 17 and 18). Each portion has guidelines thereon for which are used to help align the design properly.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include guides or registration marks in the method of the admitted prior

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art, because while in some instances a skilled artisan only needs to look at the composite image in order to align it properly images on separate sheets, there are instances where guidelines or registration marks would be helpful in aligning images on separate sheets as taught by Krawczyk.

The admitted prior art in view of Krawczyk does not teach varying the tension on the second film along the length of the film to help ensure the marks are aligned properly.

Jensen, Jr. teaches forming a two-layered composite, 16, formed by the lamination of paper web, 14, with film web, 12. The paper layer, 14, has a perforated pattern, 24, and the plastic layer, 12, has a target area, 28, positioned in registration with the area, 24. A register control system is adapted to provide proper registration between the perforated pattern, 24, and the target area, 28. During operation the length of the film web is stretched or shrunk in order for it to be properly aligned with the paper web. (Col. 7, lines 12-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to vary the tension on the length second web thus stretching or shrinking the space between the registration marks, because Jensen, Jr. teaches such steps are known ways of aligning webs.

Regarding claims 9-12, invisible and washable registration marks are within the purview of one having ordinary skill in the art, because it would be preferable that the alignment marks not be intrusive to the composite image.

Regarding claim 20, it is noted the film in Jensen, Jr. is fed in roll form, furthermore typically wallpaper or carpet, items which are applied to a static structure such as the instant invention, are typically stored in roll form.

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Regarding claims 21 and 22, a length of 5 meters and 10 meters is within the purview of one having ordinary skill in the art. The admitted prior art states 3 meters, however an artisan would know that the longer the length of the web, the less likely two webs will need to be used side by side and less chance for improper alignment.

### *Drawings*

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Harris (US Patent No. 5,950,319) discloses a reference marking system on construction material. Shannon (US Patent No. 4,806,184) discloses a wallpaper applicator for aligning wallpaper.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue A Purvis whose telephone number is 703-305-0507. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rick Crispino can be reached on 703-308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5665.



Sue A Purvis  
Examiner  
Art Unit 1734

sp  
March 15, 2002



RICHARD CRISPINO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700